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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,477	07/19/2001	Francois Rey	11345.033001	5625

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EXAMINER

KAVLESKI, RYAN C

ART UNIT	PAPER NUMBER
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2619

NOTIFICATION DATE	DELIVERY MODE
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03/24/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 09/831,477	Applicant(s) REY ET AL.	
	Examiner Ryan C. Kavleski	Art Unit 2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 19 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-15 and 17-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-15 and 17-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/01, 4/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 3-5,14,18-20, and 28 are objected to because of the following informalities: Generalised is a misspelling of the term generalized. Appropriate correction is required.
2. Claim 8 is objected to because of the following informalities: the limitation "service descriptor" is used which would indicate the limitation "service description" was meant to be used. Appropriate correction is required.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
2. Claims 17-26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed towards a digital television signal, which can be defined as an electromagnetic carrier signal and is accordingly non-statutory subject matter. Refer MPEP 2601.06.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2619

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,2,6-11,13,15,17,21-27, and 29-32 are rejected under 35 U.S.C. 102(b) as being anticipated by the European Telecommunication Standard (“Specification for Service Information in Digital Video Broadcasting Systems”)(ETS hereafter).

Regarding claim 1, the ETS teaches a method of transmission of digital information in a digital communication network, the network comprising at least one packet transport stream [page 13 section 5.1.2] carrying at least one bouquet related table (bouquet association table (BAT)) containing information relating to a commercial bouquet [page 17 section 5.2.2], said method comprising transmitting at least one other table (wherein a BAT can be segmented into sub-tables)[page 17 section 5.2.2] comprising a list of bouquet identity values associated with information identifying at least one transport stream [page 18 table 4] so as to enable identification of at least one of the bouquet related tables with the corresponding said at least one transport stream [page 19 paragraph 5].

Regarding claim 2, the ETS teaches a method in which a bouquet related table corresponds to a bouquet association table containing information regarding the services present in a commercial bouquet [page 17 section 5.2.2].

Art Unit: 2619

Regarding claim 6, the ETS teaches a method in which a transport stream specific table (service description table (SDT)) is transmitted in a transport stream, the transport stream specific table comprising a list of bouquet identity values (wherein a bouquet lists services which are described within the service description table)[page 10 last paragraph] associated with that particular transport stream [page 19 section 5.2.3].

Regarding claim 7, the ETS teaches a method in which the transport stream specific table corresponds to a service description table, used to convey information regarding the services carried in that transport stream [page 19 section 5.2.3].

Regarding claim 8, the ETS teaches a method in which the bouquet identity values are further associated with each of the services listed in the service descriptor table (wherein a bouquet lists services which are described within the service description table)[page 10 last paragraph].

Regarding claim 9, the ETS teaches a method further comprising transmitting in one transport stream a table (BAT) comprising a list of bouquet identity values associated with another transport stream (wherein a BAT contains the identity of a transport stream)[page 19 paragraph 5].

Art Unit: 2619

Regarding claim 10, the ETS teaches a method in which all bouquet association tables in a network are identified with a predetermined packet id (PID) [page 17 section 5.2.2] and table id value (table_id) [page 16 table 4].

Regarding claim 11, the ETS teaches a method in which a bouquet association table is identified by a table id extension value (bouquet_ID), this value corresponding to the bouquet identity value [page 8 paragraph 16, page 16 table 4].

Regarding claim 13, this claim comprises limitations substantially the same as those discussed on claim 1, thereby same rationale of rejection is applicable.

Regarding claim 15, this claim comprises limitations substantially the same as those discussed on claim 6, thereby same rationale of rejection is applicable.

Regarding claim 17, this claim comprises limitations substantially the same as those discussed on claim 1, thereby same rationale of rejection is applicable.

Regarding claims 21-26, these claims comprise limitations substantially the same as those discussed on claims 6-11, thereby same rationale of rejection is applicable.

Regarding claim 27, this claim comprises limitations substantially the same as those discussed on claim 1, thereby same rationale of rejection is applicable.

Regarding claim 29, this claim comprises limitations substantially the same as those discussed on claim 6, thereby same rationale of rejection is applicable.

Regarding claims 30-32, these claims comprise limitations substantially the same as those discussed on claim 1, thereby same rationale of rejection is applicable.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 3-5,14,18-20, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the ETS in view of Cochrane et al. (US 6,081,801)(Cochrane hereafter).

Regarding claim 3, the ETS teaches a method in which a generalised table (network information table (NIT))[page 15 section 5.2.1] is provided, this generalised table being transmitted in each of the corresponding transport streams in the network (wherein a NIT conveys information relating to transport streams carried within a given network)[page 15 section 5.2.1].

However the ETS doesn't explicitly disclose a NIT comprising a list of bouquet identity values associated with a plurality of the transport streams in the network.

Regarding claim 5, the ETS teaches a method in which a transport stream is provided comprising a generalised table (network information table (NIT))[page 15 section 5.2.1] associated with at least some of the transport streams of another network (wherein a NIT can be transmitted for other networks in addition to the actual network)[page 15 section 5.2.1].

However the ETS doesn't explicitly disclose a NIT comprising a list of bouquet identity values associated with at least some of the transport streams of another network.

Cochrane discloses a method for distributing data by dividing tables across nodes and distributing the rows of the table to an appropriate node [column 4 lines 17-24].

It would have been obvious to one of ordinary skilled in the art at the time the invention was made given the teachings of the ETS for a segmentation of tables into subtables to combine with the suggestion of Cochrane to distribute data by dividing tables by distributing rows of the tables to nodes to be able to spread the information typically stored within sections of a BAT to be forwarded along or within other information tables to insure bouquet information is identified.

Regarding claim 4, the ETS teaches a method in which the generalised table corresponds to a network information table used to convey information regarding all the transport streams in the network (wherein a NIT conveys information relating to transport streams carried within a given network) [page 15 section 5.2.1].

Regarding claim 14, using the same motivation, this claim comprises limitations substantially the same as those discussed on claim 3, thereby same rationale of rejection is applicable.

Regarding claims 18-20, using the same motivation, these claims comprise limitations substantially the same as those discussed on claims 3-5, thereby same rationale of rejection is applicable.

Regarding claim 28, using the same motivation, this claim comprises limitations substantially the same as those discussed on claim 3, thereby same rationale of rejection is applicable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan C. Kavleski whose telephone number is (571) 270-3619. The examiner can normally be reached on Monday through Friday 7:00am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

Art Unit: 2619

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Kavleski
Examiner, Art Unit 2619

/Hassan Kizou/
Supervisory Patent Examiner, Art Unit 2619